

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1 and 14; claims 3 and 16 have been canceled; claims. Applicant respectfully submits no new matter has been added. Accordingly, claims 1, 2, 4-15, and 17-26 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-11, 14-22, and 25-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szienski (UK Patent Application GB 2 366134 A) in view of Muramatsu (US 2001/0012774 A1). The Applicant has amended claims 1 and 14 to better define the intended scope of the claimed invention. Claims 3 and 16 have been canceled. The Examiner's consideration of the amended claims is respectfully requested.

Claim 1 has been amended to incorporate the limitations of claim 3. Claim 1 now recites that the controller includes instructions based on the power supply connections for one of receiving all of the data, means for redirecting all of the data to a predetermined location, and means for receiving a portion of the data and directing the remainder of the data to a predetermined address.

On page 5 of the Office Action, the Examiner stated that Szienski, as modified by Muramatsu, discloses the claimed invention wherein the step of signaling the controller includes instructions based on the power supply connections for one of receiving all of the data, redirecting all of the data to a predetermined location, and receiving a portion of the data and directing the remainder of the data to a predetermined address. The Applicant respectfully disagrees. In particular, the Examiner cites several passages in Szienski (Figs. 4-5; page 7, line 17 to page 8, line 16; page 8, line 21 to page 9, line 21) as teaching these limitations. However, a thorough review of these passages as well as the entire specification of Szienski shows no such teaching. Szienski, on the contrary,

merely discloses determining if sufficient time is available to allow the requested data to be downloaded from a server to the client, and if not, the data is not downloaded. Szienski merely discloses a "binary" decision where it is determined to send the data or not send the data (i.e., put in a wait state). Thus, in Szienski, once a specified voltage level is reached, no data is transferred. Szienski does not teach or suggest redirecting all of the data to a predetermined location, or receiving a portion of the data and directing the remaining portion of the data to a predetermined address. In addition, Muramatsu does not make up this missing limitation.

Thus, Szienski and Muramatsu, either in combination or separately do not teach or suggest all the limitations as recited in amended independent claim 1. Amended claim 14 includes limitations analogous to claim 1 and also is not taught or disclosed in either Szienski or Muramatsu. Claims 2, 4-11, and 26 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Claims 15, 17-22 and 25 depend from amended claim 14 and recite further limitations in combination with the novel elements of claim 14. Therefore, the allowance of claims 1, 2, 4-11, 14, 15, 17-22, and 25-26 is respectfully requested.

Claims 12-13 and 23-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szienski (UK Patent Application GB 2 366134 A) in view of Muramatsu (US 2001/0012774 A1) and further in view of Liebenow (6,459,896B1). The Applicant has amended independent claims 1 and 14 to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

Claim 1 has been amended to incorporate the limitations of claim 3. Claim 1 now recites that the controller includes instructions based on the power supply connections for one of receiving all of the data, means for redirecting all of the data to a predetermined location, and means for receiving a portion of the data and directing the remainder of the data to a predetermined address.

As discussed above, Szienski and Muramatsu do not teach or suggest redirecting all of the data to a predetermined location, or receiving a portion of the data

and directing the remaining portion of the data to a predetermined address. The addition of Liebenow does not make up the missing elements.

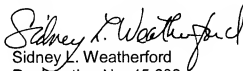
Thus, the combination of Szienski, Muramatsu and Liebenow does not teach or suggest all the elements as recited in claim 1. Claim 14 contains limitations analogous to claim 1 and is also not taught or suggested by Szienski, Muramatsu and Liebenow. Claims 12 and 13 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Claims 23 and 24 depend from amended claim 14 and recite further limitations in combination with the novel elements of claim 14. Therefore, the allowance of claims 12, 13, 23, and 24 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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